

Several reports and communications were received from committees and departments of the government.

MASSACHUSETTS MEMORIAL.

The Speaker laid before the house a memorial received from the legislature of the state of Massachusetts, complaining of the measures of the government, particularly of the embargo laws, and declaring their opinion that the last supplementary embargo law is unconstitutional. On motion of Mr. Fisk, referred to a select committee, Ayes 83. The reason which he assigned for the motion was, that the memorial, coming from a respectable state, deserved a particular consideration. Mr. Quincy moved that the memorial be printed. On this motion some debate took place. Mr. Quincy and other gentlemen observed that they only wished the same respect to be paid by the House to this memorial as was paid to the resolutions of Pennsylvania and North Carolina. Mr. Durell and others observed that this memorial was committed to a committee and those resolutions were not; and therefore was treated with more attention. Mr. Newton read the answer of the legislature of Massachusetts to the Virginia resolutions on the subject of the alien and sedition laws, to show how the sentiments of a federal legislature were warped by a federal legislature now, to answer party purposes—this answer denies wholly the right of any state to controvert the laws of the general government or to declare them unconstitutional. Mr. Quincy said that the right of a legislature to comment on the measures of the government could not be questioned, when it was secured by the constitution to every individual; and that the sentiments contained in the memorial just presented, were not inconsistent with those expressed in the paper read by Mr. Newton. Mr. Troup said he would be willing to treat this memorial with respect, but not with peculiar respect—he cited the instance in which a memorial of the legislature of Georgia on the subject of a proposed infraction of her territorial rights by the U. S. was neither referred or printed. Mr. Livermore denied that the Legislature of Massachusetts had expressed any disorganizing sentiments; they only supported the rights of the state, strengthening instead of weakening the whole machine by preserving a part in its proper operation. Mr. Bacon observed that he should enrol his name in the vote for printing without the least fear of being accused of disrespect for the state which he represented; for however he might respect the legislature or the state he could not shew his respect for it by giving its memorial a course different from that pursued in relation to petitions or memorials from other portions of the people; and it was already referred to a respectable committee of the House. Mr. Newton observed that when the committee reported on the memorial, he should be willing to print the memorial and report on it; at the same time he would move to print the answer of the same legislature to the Virginia resolutions on the subject of the alien and sedition laws, and then it would be the legislature of Massachusetts castigating the legislature of Massachusetts. Mr. Quincy said this memorial contained the opinion of a large commercial state and was entitled therefore to the attention of the House; if not printed now, a report would probably not be made on this session, and it would not be printed. Mr. Holland observed that as to its containing information there was not a new idea contained in the memorial, not one which the gentleman himself had not favored the House with during the session, and some of them in the very words of the gentleman himself. Mr. Rowan conceived that the remonstrance of a state was entitled to no particular preference over that of any other memorial from any particular portion of the people; and that the proper course would be to let the remonstrance lie on the table, as the subject of it was now under consideration. If an answer was to be given to it, the legislature might answer that answer, and there would be an end to the correspondence. Mr. Rowan moved to reconsider the vote for the reference to a select committee. Mr. Quincy withdrew his motion for printing, to permit the question to be taken on reconsidering the vote for reference. Messrs. Sayer, Macon, and Taylor advocated reconsideration. The vote was reconsidered, Ayes 84. Mr. Fisk again supported his motion; he wished not by a silent disposition of the memorial to sanction its statements, wholly erroneous, or treat it with contempt. Mr. Rowan had no idea of doing either; but an answer could only produce irritation which he was desirous to avoid; it would be true magnanimity, even if the House believed it not to be correct, to pass it over in silence. Motion to commit, negatived, Ayes 20. Mr. Quincy renewed his motion that the remonstrance be printed. For the motion 42, against it 53.

ARMY AND NAVY APPROPRIATION.

The bill for amending the act for establishing the war and navy departments, and making appropriations for the support of the military and naval establishment of the United States for the year 1809, was read the third time and passed.

NON-INTERCOURSE.

The bill from the senate for interdicting commercial intercourse between the United States and Great Britain and France and their dependencies, was read the third time. And on the question "Shall the bill pass as amended."

Mr. Milnor said that the passage of this bill would be a novelty in legislation, for he believed it had not a friend in the house. He was at a loss what to think of it. He said he should be obliged to gentlemen who were in favor of the bill to explain to him how much of the embargo was to be retained by it and how much to be removed.

He thought that the offensive parts of the embargo laws was to be retained by it. The bill was objectionable too because it enacted as a substitute for the embargo a non-intercourse system which was not to commence until two days previous to the next session of Congress, and was to expire with that session. It would scarcely have gone into operation before it would cease by the limitation of the law. He could not conceive for what purpose the non-intercourse system was to be enacted, if it was to have an end so soon. He had

no doubt that those gentlemen who voted for this measure now and who were to be in the next congress, would be then told that they had by that vote pledged themselves not to suffer the embargo to be removed without an efficient substitute. For one, he said, he could not consent to take this measure in lieu of the embargo, because it was inefficient for the purposes of coercion; because it could not be carried into execution; because it would prevent our usual intercourse without excluding foreign goods, as they would be smuggled in; because some of the manufactures of Great Britain had become necessary to us by habit, and could not be procured elsewhere. He did not view this system as a permanent measure. He believed that the gentlemen of this house generally perceived and knew that this measure could have but little operation. It seemed as if the house must have something to satisfy themselves that they were not taking off the embargo without some efficient measure; it was but a rattle to please children. In short, the bill under consideration he said was so very objectionable, the provisions so obscure and extremely difficult to understand, our citizens would be so much at a loss under it to know what were their rights, and what were not, that he could not vote for the bill. If gentlemen would come forward and explain the bill, convince him that the obnoxious parts of the embargo laws were to be repealed by it, he might be induced to vote for it. As it was, he must vote against it.

Mr. Dawson said, that at the last session, when he had given a vote in favor of the embargo law, he had been well aware that it would subject our citizens to many and great inconveniences; that all would be called on to sacrifice to the public good. Relying on the virtue and patriotism of this people, he had believed it would be borne with patience, from a conviction that it was adopted from necessity, produced by the injuries done to us by other nations, and calculated to secure the independence of the country. Under this impression he said he had voted for the measure; and at the same time that he gave, that vote he had made a solemn pledge to himself, his country and his God, that he never would revoke it till we took some measure to defend our rights. Such in his opinion the bill now before the house was not. He considered it a weak, wretched, expedient, and he could not bring himself to vote for it, although in voting against it, he regretted differing in opinion with many whom he esteemed, and was as much disposed to relieve our citizens as any man could be.

Mr. Cook said in voting for the bill he should merely take it as a choice of evils. Mr. Randolph spoke near an hour in opposition to the bill. He objected to the principle as well as to the details of the bill. His remarks may hereafter be given.

Mr. Sloan declared that his friends from Pennsylvania and Virginia, (Messrs. Milnor and Randolph) could not detest the bill more than he did; and yet he should vote for it, for this reason; that the people as well as himself were so heartily tired of the embargo that they would be glad to get any thing else in place of it. Another reason was, that it contained a limitation to the embargo laws; and he hoped that the embargo would expire at the time limited, never again to be resuscitated; that it would be dead, dead, dead.

The question on the passage of the bill was then decided as follows:

YEAS.—Messrs. Alexander, L. J. Alston, W. Alston, Bacon, Barker, Blake, Boyd, Boyle, Brown, Burwell, Butler, Culpepper, Cuts, Deane, Desha, Durell, Eppes, Findley, Fisk, Franklin, Garnett, Gholson, Goodwyn, Green, Harris, Heister, Helms, Holland, Holmes, Howard, Humphries, Isles, Johnston, Jones, Kanon, Key, Lambert, Lewis, Lloyd, Love, Lyon, Marion, Masters, McCreery, J. Montgomery, N. R. Moore, T. Moore, John Morrow, Mumford, Nelson, Newton, Nicholas, Pugh, Rea (Pen.) Riker (Pen.) J. Richards, M. Richards, Riker, Russell, Say, Scaver, Shaw, Sloan, Smit, Smithe, J. K. Smith, John Smith, S. Smith, Southard, Storer, Swart, Thompson, Van Aen, Van Cortlandt, Van Horn, Verplanck, Wharton, Wilbour, M. Williams, A. Wilson, N. Wilson—31.

NAYS.—Messrs. Bard, Bassett, Bibb, Blackledge, Blount, C. Blount, J. Campbell, Champion, Chittenden, Clay, Dana, Davenport, Dawson, Elliot, Ely, Gardiner, Gardner, Hoge, R. S. Jackson, Kelly, Kirkpatrick, Macon, Milnor, Mosely, Newbold, Porter, Quincy, R. Randolph, Rowan, Stanord, Sedman, Sturges, Tallmadge, Taylor, Trigg, Troup, Upham, Van Dyke, Van Rensselaer, Whitehill—40.

Yeas 81—Nays 40. Absent from the city, Messrs D. Montgomery, Carlton, Chandler, Clinton, Cobb, Picken, Story and D. R. Williams—8. In the city but not present at the vote, being absent from illness or other causes; Messrs G. W. Campbell, Clopton Gray, Cook, J. G. Jackson, Jenkins, Livermore, Jer. Morrow, Sawyer, Taggart, Winn—11.

Tuesday, Feb. 23.

Mr. Newton reported a bill authorizing the collector of the port of Baltimore, under certain conditions, to grant conditions, to grant a register to the ship Thomas. A motion was made by Mr. Newton and seconded by Mr. Isley, that the bill be ordered to be read a third time. A motion was made by Mr. Holland to postpone it indefinitely and negatived, 45 to 36. It was then referred to a committee of the whole. A bill to extend to Messrs. Whittemore for a further time the right to a machine for manufacturing cotton and wool cardst was passed, 55 to 18.

INVALID PENSIONERS.

The House resolved itself into a committee of the whole, Mr. Desha in the chair, on the bill concerning invalid pensioners. A motion was made by Mr. Holmes to strike out the fourth section of the bill which authorizes the payment of the aggregate amount of the arrearages of pensions from the time their disability was incurred, to all persons entitled to pensions—Carried.

A motion was made by Mr. Macon and carried, to strike out of the bill the third section, which allows pensions to all persons in any manner incurring disability during the revolutionary war, whether by voluntary expeditions or otherwise, &c.

A motion was made by Mr. Blackledge to insert an amendment providing for the payment to all persons placed on the pension list since the 1st January, 1793, of the aggregate amount of arrearages for ten years preceding. Negatived.

The committee rose and reported the bill as amended.

The House concurred in striking out the third section, 47 to 30.

Mr. Randolph, who originally moved the fourth section, called for the Yeas and Nays on concurring with the committee in striking out the section.

Mr. Rowan spoke at length in support of the section, which he conceived to be imperiously called for both by justice and policy. The money due to our old soldiers was a just debt, to which it did not become the government to plead the statute of limitation.

Mr. Randolph also spoke at large in explanation of his reasons for offering the amendment, and in support of it. The claims of the persons placed on the pension list had been rigidly scrutinized, and payment of them could not in justice be refused unless from inability of the government to pay them.

The question on concurrence was decided as follows:

YEAS.—Messrs. W. Alston, Bard, Barker, Bassett, Blake, Blount, Boyle, Burwell, Butler, Chittenden, Culpepper, Desha, Durell, Franklin, Gholson, Goodwyn, Green, Helms, Holland, Holmes, Humphreys, Isley, Kenan, Macon, Marion, Masters, McCreery, N. R. Moore, Jer. Morrow, John Morrow, Mumford, Newbold, Porter, Pugh, Rhea, (P.) Rhea, (T.) J. Richards, M. Richards, Seaver, Shaw, Sloan, Smithe, J. K. Smith, J. Smith, Stanford, Storer, Swart, Taggart, Tallmadge, Taylor, Wharton, Whitehill, A. Wilson—53.

NAYS.—Messrs. Blackledge, Calhoun, J. Campbell, Champion, Clay, Davenport, Dawson, Gardner, Harris, Hoge, Howard, R. S. Jackson, Jenkins, Johnson, Kelly, Lybster, Lyon, Milnor, Mosely, Nelson, Newton, Nicholas, Quincy, Randolph, Rowan, Smelt, S. Smith, Van Dyke, Van Horn, Van Rensselaer, Verplanck, M. Williams—32.

So the section was struck out.

Mr. Blackledge renewed the motion which he made in committee of the whole, and spoke at length in support of it.

The motion was negatived, by yeas and nays, by a large majority.

The bill was then ordered to a third reading; and subsequently passed nem. con.

The House then resolved itself into a committee of the whole, Mr. Desha in the chair, on the bill making further provisions for the accommodation of the household of the President of the U. S. The bill being gone through was reported to the House, and ordered to be read a third time to-day. It was then read a third time and passed, by yeas and nays, 78 to 11.

HEMP, CORDAGE, ARMS, &c.

The House resolved itself into a committee of the whole on the bill prohibiting for a limited time the exportation of arms, ammunition, cannon, cordage and hemp, and for encouraging the importation thereof.

Mr. Randolph moved to strike out the first section of the bill, which motion he supported on the ground of its inexpediency as tending to throw a damp on the culture of hemp in the country; and on the ground of its unconstitutionality, the constitution not having expressly delegated to Congress the power of prohibiting exports, and having prohibited Congress from taxing them, thereby impliedly denying Congress the power to prohibit exportation.

Mr. McCreery stated that in the support of the bill that the U. S. were in the habit of importing annually twelve millions of pounds of hemp, and great quantities of canvass, great part of which was bought up to export for the British navy; and from the frequency of this practice, it was expected that there would not be sufficient left in the country for home consumption.

Messrs. Quincy, Ely, Lyon and Rowan opposed the bill, observing that, as to prohibiting the export of arms, there could be no occasion for that part of the bill, as arms of every kind bore now a higher price in this country than elsewhere; that the passage of the bill would depress the culture of hemp as well as manufacture of cordage; that the U. S. had already a sufficiency of naval stores; that a restriction of this kind would only enable the merchant to purchase these articles at a lower price, at the expense of the growers of hemp and manufacturers.

Mr. Sloan was opposed to the bill, because he disliked the general principle of restricting trade. The single reason that the bill partook somewhat of the nature of a partial embargo was sufficient to induce him to reject it.

The first section was struck out, 34 to 26.

The committee rose and reported their disagreement to the House who concurred in it, Ayes 54.

Mr. Van Horn wished to retain the last section of the bill (for importing arms free of duty.)

Mr. Quincy observed that more could be manufactured in the U. S. than could possibly be wanted.

The whole bill was then negatived.

NAVIGATION LAWS.

Mr. Dana laid upon the table a resolution contemplating in substance the same regulations as the bill reported by him "concerning associations for the security of navigation." And the House adjourned.

Wednesday, March 1.

The following is the resolution laid on the table yesterday by Mr. Dana.

Resolved, That it is proper to make provision by law to allow merchant vessels of the United States to be armed for defence in voyages to ports of Europe or the West Indies or Atlantic coast of America, and accordingly to furnish the documentary evidence which may be proper in any such case to manifest the defensive character of the armament allowed; and at the same by law to require securities for the vessels respectively, that they will not proceed to any port known to be actually blockaded, nor carry articles contraband of war to the dominions of a belligerent power, nor violate the laws or treaties of the United States or the rules

of public law by them acknowledged; and will observe the instructions, which may be given by the President of the United States for preventing all such violations, and that due satisfaction shall be made for all damages and injuries if any should be committed contrary to the tenor thereof.

A bill from the Senate making further provision for the corps of engineers; was twice read and referred to a committee of the whole.

INDIAN TRADE.

On motion of Mr. Newton, the House resolved itself into a committee of the whole, 54 to 17, on the bill supplementary to the act for establishing trading houses with the Indian tribes—Mr. W. ALSTON in the chair. The bill being gone through was reported to the House, and ordered to a third reading.

COURTS OF THE U. STATES.

On motion of Mr. Marion, the House resolved itself into a committee of the whole, 40 to 31, Mr. W. ALSTON in the chair, on the bill supplementary to an act for establishing the courts of the U. States, [The bill proposes an alteration in the time or manner of holding the courts of S. Carolina.]

Mr. Love proposed an amendment to the bill, declaring that the laws of the several states shall be the rules of proceeding in all judicial proceedings in the courts of the U. S. provided that it shall not affect any process on behalf of the United States.

Messrs. Taylor and Kelly objected to the introduction of a general provision, embracing such an important principle into a law for a special purpose—a principle too the propriety of which was at least questionable.

Mr. Love advocated his motion. He reverted to the laws passed in different states for suspending execution for a time. He did not express an opinion on the principle of suspension; but whatever might be his opinion of the principle, he wished it to be extended to the federal courts in those states, for the sake of equality and consistency in judicial proceedings.

Mr. Love's motion was negatived by a considerable majority.

The committee rose and reported the bill.

Mr. Love renewed the motion which he made in committee.

Mr. Gholson advocated the motion at some length, and went into an examination of the laws of the United States on the subject of judicial process and of the decisions under them, particularly of a late decision of the Chief Justice that the law of a state (Virginia) for suspending executions should not be the rule of proceeding for a federal court, whilst all other state laws not contravening the laws or constitution of the United States were binding on it.

Mr. Dana moved to strike out the provision excepting from the operation of the amendment all process in behalf of the U. S.—Ayes 30, Nays 50.

Mr. M. Clay conceived the decision of the judge mentioned by Mr. Gholson to have been erroneous; and all that was asked was that the decision should be reversed by an explanation of the meaning of the law of the United States; that a judge should not have it in his power to put up the law with one hand and put it down with the other. Under this decision, a merchant to whom money was due in the state in which he resided, had nothing to do but to assign the debt to some one in a neighboring state, and there bring suit on it, and evade the law of the state. The foreigner too had advantages over the citizen of the state, as he could recover debts and obtain execution on the judgment, when the citizen was denied the right.

Mr. Gardiner offered an amendment to Mr. Love's motion, to this effect: that no citizen of one state which had passed no law for suspending executions should be prevented from obtaining money in a state where such laws had been passed. For it would be unjust to enable the citizens of one state (as Virginia) to refuse payment to their neighbors in another state, whilst the citizens of another state (as Massachusetts) were compelled to make payment.

Mr. Rowan opposed Mr. Love's amendment, as going to approve the different laws on the subject of suspension of 6 or 7 different states. He thought there was no occasion for the amendment; for by it the House would sweep from the judicial code the laws already existing on this subject—and he deprecated all innovations of the judicial system, where the necessity for amendment was not decidedly apparent.

Mr. Gardiner's motion was negatived by a large majority.

Mr. Love's motion was then negatived by Yeas and Nays, 67 to 25. The Yeas were, Messrs. W. Alston, Bassett, Blackledge, Blount, Burwell, Butler, Clay, Deane, Eppes, J. Garnett, Gholson, Goodwyn, Holmes, J. G. Jackson, Jones, Lewis, Love, J. Montgomery, Jno. Morrow, Newton, Nicholas, J. K. Smith, Southard, Stanford, A. Wilson.

The bill was then ordered to a third reading. And it was accordingly read a third time and passed nem. con.

The bill supplementary to the act establishing trading houses with the Indian tribes, was read a third time and passed, nem. con.

PUBLIC LANDS.

The bill for extending the time for making payment for the public lands of the U. S. was read a third time and passed, 48 to 25.

(Remainder of this day's proceedings in our next)

Thursday, March 2.

The bill to prevent any person from taking foreign licence to navigate to any part of the world, was ordered to a third reading. Much other business was done, of minor importance. A detail of it in our next.

ALEXANDRIA, March 7.

Arrangements of the new Cabinet: Robert Smith, Esq. Secretary of State. Dr. Eustis of Boston Secretary of the Navy. Paul Hamilton, Esq. of South Carolina, Secretary of War. Albert Gallatin is continued as Secretary of the Treasury.

John Quincy Adams, Esq. has received the appointment of Minister to Russia.

We are informed of the following appointments in addition to the above.—Ed. Arg. General Sumpter (of S. Carolina) Minister of the Brazil.

Mr. Boyle of Kentucky, Governor of the Illinois.

Mr. David Holmes of Virginia, Governor of the Missouri pp1.

On Saturday James Madison in obedience to the voice of his country, assumed the duties of President of the U. S.

The dawn of day was announced by a federal salute from the Navy Yard and Fort Warburton; and at an early hour the volunteer corps of militia began to assemble. Such was the interest to be present at the inauguration, that the whole area allotted to citizens in the Representative Hall was filled, and overflowing several hours before noon, the time assigned for that purpose, and it is computed that the number of persons surrounding the capitol unable to obtain admittance, exceeded ten thousand. The Senate convened at 11 o'clock in the Chamber of the Representatives, Governor Milledge, the President pro-tempore in the chair. Agreeable to arrangements the Senators were placed next to the chair, the late President of the United States on the right of the chair, foreign ministers and suite on the left, judges of the Supreme Court in front, Heads of Departments on the right of the President of the Senate, members of the H. of Representatives on the floor, and various other places assigned for other public characters and for Ladies.

Mr. Jefferson arrived about 12 o'clock. A short time before that hour, Mr. Madison left his own house, escorted by the troops of cavalry of the city & Georgetown, commanded by Captain Brent, & at 12 entered the representative hall, attended by the Secretary of the Treasury, the Secretary of the Navy, the Attorney General, and Mr. Coles, Secretary to the late President, and introduced by a committee of the Senate; when Mr. Milledge left the central chair, and conducted Mr. Madison to it. Mr. Madison then rose and delivered the speech given above. [In Tuesday's Argus.]

The oath of office was then administered to him by Chief Justice Marshall; on which and as the President retired, two rounds of minute guns were fired. On leaving the capitol he found the volunteer militia companies of the district, nine in number, and in complete uniform, under the command of col. McKinney, drawn up, whose line he passed in review, when he entered his carriage and was escorted home in the same way he came.

A large company of ladies and gentlemen and Mr. Jefferson among the number, immediately waited upon him, among whom refreshments were liberally distributed. The company generally, after calling on the president, waited on Mr. Jefferson to take a last farewell before his departure.

In the evening there was a grand inauguration ball, at Long's Hotel, the most brilliant and crowded ever known in Washington, at which the late and present President of the United States and foreign ministers were present by invitation. The company is supposed to have exceeded four hundred.

Mr. Madison was dressed in a full suit of cloth of American manufacture, made of the wool of Merinos raised in this country, his coat from the manufactory of Colonel Humphreys, and his waistcoat and small clothes from that of Chancellor Livingston, the clothes being we understand, severally presented by those gentlemen.

(Nat. Intel.)

NOFOLK, March 6.

Martinique Taken.—We are informed by captain Hazard of the Swedish schooner Locker, from St. Bartholomews, which Island he left the 15th of last month, that a few days before he sailed, information which was relied on, was received, stating that with the exception of one fort, the Island of Martinique had surrendered to the British forces, under admiral Cochrane and sir George Prevost. The letters received at St. Bartholomews, announcing this event, stated that no doubt was entertained that the remaining fort would shortly surrender.

LATEST FOREIGN NEWS.

From NORFOLK, March 6.

Yesterday arrived here the British ship Aurora, capt. Smith, from Liverpool. The passage of this ship has been long the latest papers brought by her are of the 22d of December, with which we have been favored by capt. Smith, and from which some extracts are made for this day's Ledger. The latest London dates are to the 20th of December, and although these accounts are not pleasing to the friends of the Spanish patriots, they serve to relieve us from the state of suspense, into which contradictory reports had placed us for the last ten or fifteen days.

The thirteenth bulletin had been received in England, which announces the arrival of Bonaparte in Madrid. This event it appears, had not depressed the Spanish patriots, the more as it was not preceded by any battle, other than what has been detailed up to the twelfth bulletin, if we